

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DE LAGE LANDEN FINANCIAL  
SERVICES, INC.,

CIVIL ACTION

Plaintiff

NO. 02-CV-4877

vs.

DIGITAL PARTNERS OF ARKANSAS, INC.  
F/K/A RALPH CROY & ASSOCIATES, INC.  
AND RALPH CROY,

Defendants

AFFIDAVIT OF ED DANIEL, IV

STATE OF ARKANSAS :  
: ss  
COUNTY OF PULASKI :

I, Ed Daniel, IV, Esquire, being duly sworn according to law, depose and say:

1. I am an attorney and member in good standing of the Bar of the State of Arkansas, with offices at 10310 West Markham, Suite 203, Little Rock, AR 72205.
2. I have represented Digital Partners of Arkansas, Inc. ("Digital Partners") in the past.
3. I, acting on behalf of Digital Partners and with its authority, engaged E. David Chanin, Esquire, of Tannenbaum & Chanin, LLP, in Philadelphia,

Pennsylvania, to represent the interests of Digital Partners in the above-captioned civil action.

4. Prior to April 17, 2003, I was authorized by Digital Partners to act on its behalf in providing information and direction to Mr. Chanin to enable him to represent Digital Partners in this matter. I consulted with James R. Young, Digital Partners' president, in order for Digital Partners to make informed decisions concerning this matter and I conveyed Digital Partners' decisions to Mr. Chanin. Mr. Young, Mr. Chanin and I participated in conference calls together as necessary and appropriate.

5. On April 17, 2003, Digital Partners filed a petition under Chapter 11 of the Bankruptcy Code, In Re: Digital Partners, Inc., United States Bankruptcy Court for the Eastern District of Arkansas, No. 03-14639. I did not represent Digital Partners as debtor in possession in its bankruptcy case.

6. The bankruptcy case of Digital Partners was dismissed due to lack of required filings.

7. I am informed and believe that Digital Partners no longer operates its business.

8. I have diligently attempted to communicate with Digital Partners in order to obtain its informed decisions and instructions on how to proceed in this litigation and have submitted to Digital Partners my invoices and those of Mr. Chanin's firm for payment.

9. I telephoned the last known business and home telephone numbers of Digital Partners and Mr. Young. I also telephoned Mr. Young's bankruptcy

counsel and Mr. Young's father with the request that each of them forward my request for communication to Mr. Young. I have received no response from Mr. Young or any other person associated with Digital Partners, and have had no communication with Digital Partners for over one year.

10. Despite my diligent efforts, I have not been able to communicate with Digital Partners.

11. Neither my invoices nor those of Mr. Chanin have been paid, nor is there any reason to believe they will be paid in the future.

12. I no longer represent Digital Partners.

13. I can no longer provide any direction to Mr. Chanin on the conduct  
of Digital Partners in the above-captioned litigation.

Ed Daniel, IV, Esquire  
10310 W. Markham Street, Suite 203  
Little Rock, AR 72205  
(501) 228-4488

Date:

Sworn to and subscribed  
before me this 7th day  
of September, 2004.

Audia L. Murray  
Notary Public

